IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

THURSDAY, THE 4TH JANUARY 2007 / 14TH PAUSHA 1928

WP(C).No. 459 of 2007(D)

PETITIONER:

C.V.HAMEED,
PROPRIETOR, M/S.UNIVERSAL STEEL,
V.P. 1/886A, MAROTTICHODU, W.VENGOLA P.O.,
683 556.

BY ADV. DR.K.B.MUHAMED KUTTY (SR.)
SRI.K.M.FIROZ

RESPONDENTS:

THE INTELLIGENCE OFFICER,
SQUAD NO.1, OFFICE OF THE INSPECTING ASST.
COMMISSIONER (INT.), COMMERCIAL TAXES, ERNAKULAM.

BY GOVT.PLEADER SRI SOJAN JAMES

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/01/2007 ALONG WITH W.P.(C).NO.472/2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN, J.

W.P.(C).NOS.459 & 472 OF 2007

Dated this the 4th day of January, 2007

JUDGMENT

The limited prayer made in these writ petitions is for a direction to consider Ext.P4 request for certain materials for enabling the petitioners to submit an effective reply to the proposal imposing penalty made by the Intelligence Officer. The learned counsel for the petitioners placed reliance on paragraph 1 to 5 in Ext.P4 in this regard. The apprehension of the petitioners is that before furnishing the documents called for, if the Intelligence Officer proceeds to finalise the proposal already made, it will prejudicially affect the petitioners' right and will also be violative of the principles of natural justice.

2. Heard both sides.

3. It is submitted that final orders are not yet passed. If so, the request contained in Ext.P4 may be considered and copies of the documents sought for given at the cost of the petitioners and in case there is any objection or difficulty in furnishing copies thereof, a proper reply giving reasons be issued to the petitioners. This shall be done before final orders are passed.

Writ petitions are disposed of as above.

P.R.RAMAN,
JUDGE.

kcv.